APHC010472422026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 2514/2026

Between:

1. K BAYAPU REDDY, S/O YERIKALA REDDY,AGE 65 YRS, OCC BUSINESS,R/O D.NO.58/316-2-1, AKKAYAPALLE,KADAPA CITY.

...PETITIONER

AND

1. T MANOHAR REDDY, S/o Obul Subba Reddy, Age 60 yrs, Occ Cultivation, R/o D.No.1-67, Appu Kondayagaripalle Village, L.R.Palle Mandal, Kadapa District

...RESPONDENT

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to begs to present this Memorandum of Civil Revision Petition having been aggrieved by the Order dated 28-07-2026 passed in I A No. 590 of 2026 in O.S No.887 of 2019, on the file of the III Addl. Junior Civil Judge, Kadapa

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to order stay of all further proceedings in O.S No.887 of 2019 on the file of the court of III Addl. Junior Civil Judge, Kadapa, pending disposal of the main CRP and to pass

Counsel for the Petitioner:

1. R SUDHA RANI

Counsel for the Respondent:

1. D KODANDARAMI REDDY

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 2514 OF 2026

ORDER:

The petitioner herein is the defendant in the suit in O.S.No.887 of 2019 on the file of the III Additional Civil Judge (Junior Division), Kadapa. The petitioner herein filed I.A.No.590 of 2026 under Order VI Rule 17 of the Code of Civil Procedure, 1908 (for short 'C.P.C.'), seeking amendment of the written statement already filed by the petitioner and permission to introduce a counterclaim on the basis of the re-conveyance agreement dated 11.09.2014.

2. The petitioner stated in the affidavit filed in support of the application that, due to an oversight on the part of the previous counsel, the endorsement made on the reverse side of the re-conveyance agreement was not included in the written statement and, consequently, no counterclaim was raised by the petitioner. The trial Court dismissed the application on the ground that the same had been filed only to protract the proceedings and that the petitioner had an actual opportunity to raise all the pleas at the time of filing the written statement. Accordingly, the application was dismissed *vide* order dated 28.07.2026.

3. Challenging the same, the present Civil Revision Petition has been filed on the ground that, due to an oversight on the part of the previous counsel, the counterclaim was not incorporated in the written statement and the endorsement made on the rear side of the re-conveyance agreement dated 11.09.2014 was not included in the written statement, which is the main ground for filing the present Civil Revision Petition.

4. The learned counsel appearing for the respondents would submit that the trial Court has rightly dismissed the application. It is further contended that the suit was already posted for judgment.

5. Therefore, on perusal of the impugned order, it is evident that the trial Court dismissed the application on the ground that the same was filed only to protract the proceedings.

6. As seen from the impugned order and the material available in the record, it is obvious that the present petition has been filed to protract the proceedings.

7. This Court cannot interfere with the order passed by the trial Court under Article 227 of the Constitution of India, unless the order passed by the trial Court suffers from any perversity.

8. Therefore, this Court does not see any reason to interfere with the order passed by the trial Court.

9. Accordingly, the Civil Revision Petition is dismissed. No costs.

As a sequel thereto, miscellaneous petitions pending, if any shall stand closed.

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JUSTICE TARLADA RAJASEKHAR RAO

Date: 27.10.2026
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THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 2514 OF 2026

27.10.2026
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